

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

<u>BERKELEY POLICE DEPARTMENT</u>)	
)	Court of Appeals Docket No.
Plaintiff(s),)	
(Petitioner))	
v.)	Docket Number(s) of Court of Appeals
)	Companion and/or Cross Appeals (if
<u>EMANUEL SIMON EL BEY</u>)	known)
)	
Defendant(s),)	
(Respondent))	
)	District Court Docket Number
)	<u>CV 07-06126 MMC</u>
)	
)	Date Transcript(s) Filed:
)	None

CERTIFICATE OF RECORD


This certificate is submitted in conformance with Rule 11-2 of the Local Rules of the U.S. Court of Appeals for the Ninth Circuit. The record on appeal, consisting of the trial transcript (if any) and the trial court clerk's record, is ready for the purposes of the appeal. This record is available in the Clerk's Office of the U.S. District Court identified below.

The documents comprising the trial court clerk's record have been numbered in conformance with Rule 11(b) of the Federal Rules of Appellate Procedure. These document numbers are reflected on the U.S. District Court docket sheet and should be used for reference purposes in the briefs.

The actual filing date for this document in the U.S. Court of Appeals will initiate the briefing schedule in civil cases (including habeas corpus cases). All parties in civil cases will receive separate notification of this filing date. In criminal cases, the briefing schedule is set by a Time Schedule Order from the U.S. Court of Appeals.

DATED: May 13, 2008

RICHARD W. WIEKING
CLERK


by: Alfred Amistoso
Deputy Clerk